

Message Text

CONFIDENTIAL

PAGE 01 OTTAWA 01228 102207Z
ACTION EUR-12

INFO OCT-01 ISO-00 JUSE-00 SS-15 L-03 EB-08 SP-02
PM-05 SOE-02 CIAE-00 INR-10 NSAE-00 NRC-05 ACDA-12
OES-07 DOE-11 STR-07 COME-00 TRSE-00 SSO-00
INRE-00 NSCE-00 DOEE-00 /100 W
-----061141 102214Z /72
O 102148Z MAR 78
FM AMEMBASSY OTTAWA
TO SECSTATE WASHDC IMMEDIATE 6606

C O N F I D E N T I A L OTTAWA 01228

PASS JUSTICE DEPT FOR ROSENTHAL

E.O. 11652: GDS
TAGS: EGEN, ECON, CA
SUBJECT: U.S./CANADIAN URANIUM NEGOTIATIONS

REF: OTTAWA 1209

1. THIS MESSAGE SUPPLEMENTS REFTEL AND PROVIDES FURTHER
DETAILS ON GOC DECISION TO TAKE MORE RESTRICTIVE POSITION
ON RELEASE TO U.S. OF INFORMATION CONCERNING URANIUM
CARTEL.

2. REFTEL NOTED THAT EXISTING REGULATIONS PROHIBIT RELEASE
ABROAD OF INFORMATION CONCERNING URANIUM CARTEL AND THAT
ONTARIO SUPREME COURT STRUCK DOWN SECTION OF REGULATIONS
GIVING DISCRETIONARY POWER TO EMR MINISTER TO GRANT
EXCEPTIONS TO REGULATIONS. STANFORD (EXTAFF) TOLD DCM
THAT GOC HAD DECIDED NOT TO APPEAL SUPREME COURT DECISION
AT THE TIME (NOV. 9), BECAUSE COURT DECISION SUPPORTED
SUBSTANCE OF GOC POSITION. TIME LIMIT WITHIN WHICH GOC
APPEAL WOULD HAVE BEEN GRANTED AUTOMATICALLY HAS NOW
EXPIRED. THUS, ATTEMPT TO REINSTATE DISCRETIONARY POWER
OF MINISTER WOULD NECESSITATE INITIATION OF LENGTHY,
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 OTTAWA 01228 102207Z

PUBLIC JUDICIAL PROCESS. DURING SUCH A PROCESS, QUESTION
WOULD ARISE AS TO WHY GOC HAD DECLINED TO APPEAL CASE IN
NOVEMBER, AND WAS BELATEDLY SEEKING MINISTERIAL AUTHORITY
TO AMEND REGULATIONS. MOREOVER, U.S. GRAND JURY DECISION
SCHEDULED TO TAKE PLACE BEFORE COURT DECISION COULD BE
RENDERED. CONSEQUENTLY, GOC DID NOT VIEW APPEAL OF COURT
DECISION AS A VIABLE OPTION.

3. GOC ALSO CONSIDERED THAT TRANSMITTING INFORMATION VERBALLY TO U.S., WHILE RETAINING ACTUAL DOCUMENTS, WOULD CONTRAVENE EXISTING REGULATIONS. THUS, GOC CONCLUDED THAT AUTHORITY TO RELEASE INFORMATION COULD ONLY BE SECURED THROUGH AMENDMENT OF REGULATIONS.

4. STANFORD SAID THAT GOC OFFICIALS RECOMMENDED TO MINISTERS THAT URANIUM SECURITY REGULATIONS BE AMENDED TO PERMIT RELEASE TO U.S. SUBSTANTIALLY ALL OF INFORMATION REQUESTED. MINISTERS, HOWEVER, CONCLUDED THAT AMENDING REGULATIONS WOULD RAISE SPECTOR OF URANIUM CASE AGAIN BECOMING POLITICAL ISSUE (ESPECIALLY SINCE ACCESS ABROAD TO INFORMATION WOULD BE LESS RESTRICTED THAN DOMESTIC ACCESS) AND DECIDED NOT TO RUN THAT RISK. MCKINNEY (EXTAFF) TOLD DCM THAT GOC OFFICIALS HAD CAREFULLY WEIGHED DOMESTIC POLITICAL RISK AGAINST RISK THAT GRAND JURY WOULD MAKE DECISION AGAINST CANADIAN INTERESTS ON BASIS FRAGMENTARY INFORMATION. GOC ALSO WEIGHED CONSIDERATION THAT DEPT. OF JUSTICE'S RECOMMENDATION TO GRAND JURY COULD BE INFLUENCED BY GOC'S APPARENT LACK OF RESPONSIVENESS TO U.S. REQUEST FOR INFORMATION. EXTAFF OFFICIAL TOLD EMBOFF THAT GOC OFFICIALS, IN THEIR RECOMMENDATION TO MINISTERS, HAD SET OUT CLEARLY THE RISKS INVOLVED.

5. GOC WISHES TO MEET WITH U.S. SOON TO EXPLAIN IN MORE CONFIDENTIAL

CONFIDENTIAL

PAGE 03 OTTAWA 01228 102207Z

DETAIL PROCESS BY WHICH IT ARRIVED AT ABOVE DECISION AND TO PROVIDE ADDITIONAL INFORMATION IT FEELS MAY BE OF USE TO JUSTICE. CANADIANS ARE PREPARED TO COME TO WASHINGTON AT A TIME CONVENIENT TO U.S. AND ENVISAGE MEETING OF LEGAL EXPERTS RATHER THAN CONTINUATION OF MORE GENERAL POLICY DISCUSSIONS. ENDERS

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: URANIUM, NEGOTIATIONS, FOREIGN POLICY POSITION
Control Number: n/a
Copy: SINGLE
Draft Date: 10 mar 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978OTTAWA01228
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D780108-0950
Format: TEL
From: OTTAWA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780382/aaaacrry.tel
Line Count: 100
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 4fa2acc9-c288-dd11-92da-001cc4696bcc
Office: ACTION EUR
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 78 OTTAWA 1209
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 08 jul 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3373238
Secure: OPEN
Status: NATIVE
Subject: U.S./CANADIAN URANIUM NEGOTIATIONS
TAGS: EGEN, ECON, CA
To: STATE
Type: TE
vdkgvwkey: odhc://SAS/SAS.dbo.SAS_Docs/4fa2acc9-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014